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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3543 of 2007

PETITIONERS : 1. Harishchandra Masih, Aged about 43 Years, S/o Shri Jhularam Masih, Assistant Teacher, Govt. Primary School, Chhirpani, Tahsil Kharsia, Distt. Raigarh (C.G.)
2. Prem Singh Rathiya Aged about 50 years S/o Butiya Ram Rathiya Assistant Teacher Government Middle School, Gadapali, Tahsil Kharsia, Distt. Raigarh (C.G.).
3. Manbahal Singh Rathiya, Aged about 44 year, S/o Shri Paras Ram Rathiya, Assistant Teacher Government Primary School, Deepapara (Nangoe), Tahsil Kharsia Distt. Raigarh (C.G.)
4. Bhuvneshwar Patel, Aged about 44 year, S/o Brijmohan Patel Assistant Teacher Government Primary School Ravanbhata (Barra), Tahsil Kharsia, Distt. Raigarh (C.G.)
5. Nandlal Patel, Aged about 43 year, S/o Vijay Ram Patel, Upper Division Teacher, Government H.S.School Botalda, Block Kharsia, Distt. Raigarh (C.G.) Ravanbhata (Barra) Tahsil Kharsia, Distt. Raigarh (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary, School Education Department, D.K.S. Bhawan, Raipur (C.G.)
2. The Director Public Instruction Department Raipur (C.G.)
3. District Education Officer Raigarh District Raigarh (C.G.)
4. Block Education Officer Kharsia, Distt. Raigarh (C.G.)
5. Assistant Commissioner Tribal Welfare Department Raigarh (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Anil Mourya, Advocate for the petitioners.
Shri A.S.Kachhwaha, Govt. Advocate for the State/respondents.

ORDER

(Passed on 26th day of June, 2007)

1. The question of law involved herein is asto whether the petitioners are entitled to regular pay scale w.e.f the date of initial appointment or from the date of completion of probation period.

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2. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same as to that of in W.P.(S) No. 5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh & Others)**, which was allowed vide order dated 7.11.2006.

3. However, the State Government is at liberty to verify the appointment of the petitioners in order to find out whether the facts of the present case are identical to that of W.P.(S) No. 5976/2006 (supra).

4. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Amit